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JOSEPH TURNER

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION

T.D.P., a minor through her mother and Next
Friend, Andrea Dupree, individually and as
successor in interest for Richard Hester
Perkins, Jr. Deceased,

Plaintiff,

v.

CITY OF OAKLAND, a public entity, CITY
OF OAKLAND POLICE CHIEF SEAN
WHENT in his individual and official
capacities, SERGEANT JOSEPH TURNER,
OFFICERS JONATHAN CAIRO, JOSHUA
BARNARD, ALLAHNO HUGHES, and
DOES 1-10, Jointly and Severally,

Defendants.

Case No. 3:16-CV-04132-LB
[Related to Case No. 3:16-CV-04324-LB]

**STIPULATION AND ~~PROPOSED~~
ORDER TO CONTINUE HEARING ON
MOTION FOR SUMMARY JUDGMENT
AND EXTEND EXPERT DISCOVERY**

Judge: Hon. Laurel Beeler
Date: June 14, 2018
Time: 9:30
Crtrm.: C, 15th Floor

Trial Date: May 6, 2019

1 RICHARD PERKINS, III, son of RICHARD
2 PERKINS, JR., deceased, and ADA
PERKINS-HENDERSON,

3 Plaintiffs,

4 v.

5 CITY OF OAKLAND, a public entity,
6 SERGEANT JOSEPH TURNER, OFFICERS
JONATHAN CAIRO, JOSHUA BARNARD,
7 ALLAHNO HUGHES, and DOES 1-10,
Jointly and Severally,

8 Defendants.

Case No. 3:16-CV-04324-LB
[Related to Case No. 3:16-CV-04132-LB]

STIPULATION

The Parties in the above-entitled action, by and through their respective counsel of record, hereby stipulate and agree as follows:

1. On May 30, 2018, Counsel for CITY OF OAKLAND, OFFICERS JONATHAN CAIRO, JOSHUA BARNARD, and ALLAHNO HUGHES, (collectively “Oakland Defendants”, or “Defendants” with Defendant TURNER), David Mehretu, represented to Plaintiffs’ counsel that lead counsel for the Oakland Defendants, Blake Loebs, would be unexpectedly out of the office for medical reasons beginning immediately and continuing for at least several weeks.

2. The hearing on Defendants’ Motion for Summary Judgment (Dkt. No. 75 in *Perkins* matter, Dkt. No. 94 in *T.D.P.*, respectively), is presently set to be heard on June 14, 2018 at 9:30 a.m. (Dkt. Nos. 78 and 97 in *Perkins* and *T.D.P.*, respectively.)

3. In light of Defendants’ lead counsel’s out of office status, Defendants requested, and Plaintiffs agreed, that the hearing on Defendants’ Motion for Summary Judgment should be continued by approximately two months.

4. Due to this, and other intervening scheduling conflicts, the Parties agree that the hearing on Defendants’ Motion for Summary Judgment should be continued from June 14, 2018 to September 6, 2018 at 9:30 a.m.

5. A Case Management Conference is also scheduled for June 14, 2018, at 11 a.m. (Dkt. Nos. 81 and 101.)

6. Due to the foregoing contemplated change to the Motion for Summary Judgment hearing, the Parties also agree that the June 14, 2018 Case Management Conference should be continued from June 14, 2018 to September 6, 2018 at 11:00 a.m.

7. The close of expert discovery is currently July 2, 2018. (Dkt. Nos. 78 & 97.)

8. Due in part to the aforementioned scheduling changes, the Parties wish to conduct expert depositions after the current close of expert discovery of July 2, 2018. The Parties, therefore, agree that the close of expert discovery should be continued from July 2, 2018 to October 31, 2018.

1 9. Based on the foregoing, the Parties respectfully request that the Court: (1) continue
2 the hearing on Defendants' Motion for Summary Judgment from June 14, 2018 to **September 6,**
3 **2018, at 9:30 a.m.**; (2) continue the Case Management Conference from June 14, 2018 to
4 **September 6, 2018, at 11 a.m.**; and (3) continue the close of expert discovery from July 2, 2018
5 to **October 31, 2018.**

6 IT IS SO STIPULATED.

7 DATED: May 31, 2018

MEYERS, NAVE, RIBACK, SILVER & WILSON

8
9 By: /s/ David Mehretu

10 David Mehretu

11 Attorneys for Defendants CITY OF OAKLAND;
12 ALLAHNO HUGHES; JONATHAN CAIRO;
JOSHUA BARNARD; SEAN WHENT

13 DATED: May 31, 2018

HADDAD & SHERWIN LLP

14
15 By: /s/ Maya Sorensen

16 Maya Sorensen

17 Attorneys for Plaintiff
T.D.P.

18 DATED: May 31, 2018

BASSI, EDLIN, HUIE & BLUM LLP

19
20 By: /s/ Andre R. Hill

21 Andre R. Hill

22 Attorneys for Defendant
23 JOSEPH TURNER
24
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27
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1 DATED: May 31, 2018

SIEGEL & YEE

3 By: /s/ EmilyRose Johns

4 EmilyRose Johns

5 Attorneys for Plaintiffs

6 RICHARD PERKINS, III and ADA PERKINS-
HENDERSON

7 **Attestation of Concurrence In The Filing (Local Rule 5-1(i)(3))**

8 The filer, David Mehretu, attests that all other signatories listed on whose behalf this filing
9 is submitted concur in the filing's content and have authorized the filing.

~~[PROPOSED]~~ ORDER

IT IS HEREBY ORDERED that, pursuant to the stipulation of the Parties, which is recited above, and good cause in support thereof, that:

1) The hearing on Defendants' Motion for Summary Judgment will be continued from June 14, 2018 to **September 6, 2018, at 9:30 a.m.**;

2) The June 14, 2018 Case Management Conference will be continued to **September 6, 2018, at 11 a.m.**; and

3) The close of expert discovery shall be extended from July 2, 2018 to **October 31, 2018.**

IT IS SO ORDERED.

Dated: June 1, 2018



Hon. Laurel D. Beeler
DISTRICT COURT MAGISTRATE JUDGE

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